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June 5, 2007

Delbert K. Rigsby, Esq.
Federal Election Commission
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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2007 JUN -5 P 5:22

Re: MUR 5504
Christina Ligotti

Dear Mr. Rigsby:

On May 21, 2007, we received from the Federal Election Commission ("FEC" or the "Commission") a letter dated May 17, 2007, indicating the FEC has found there is reason to believe our client, Mrs. Christina Ligotti, has violated the Federal Election Campaign Act of 1971 (the "Act"). Pursuant to 2 U.S.C. § 437g(a)(3), and in response to the Factual and Legal Analysis provided by the FEC, we provide the following response for the Commission's consideration.

The Factual and Legal Analysis provided by the FEC on May 17, 2007 states, in part, that the Commission has in its possession information that a different individual employed by Karoly Law Offices in 2003 apparently claimed to have been reimbursed by John Karoly for contributions to the Gephardt Committee. See FEC Factual and Legal Analysis, dated May 17, 2007, p. 2. As a result of this third party individual's claim, the Commission has concluded that all of the affidavits submitted by other employees of the Karoly Law Offices in response to the August 2006 complaint, including the affidavit submitted by Mrs. Ligotti, are wrong. *Id.*

As the Commission is certainly aware, the fact that one employee has claimed he or she was reimbursed for his or her contribution to the Gephardt Committee is not proof that other employees in the Karoly Law Office also were reimbursed for their contributions.

There is no dispute that Christina Ligotti formerly worked for the Karoly Law Offices. As a result of her employment, there were numerous financial transactions between John Karoly, as the employer, and Mrs. Ligotti, as the employee, which included regular bi-monthly salary payments and sporadic bonus checks for overtime pay.

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One such bonus Mrs. Ligotti received from the Karoly Law Offices was to compensate her for overtime work performed in connection with the John Hirko, Jr. trial. The bonus check was made out in the amount of \$3,000.00, but did not contain a recipient's name. Mrs. Ligotti provided the check to her husband, Matthew Ligotti, to deposit into the Ligotti's joint account. Rather than make the check out to "cash" to deposit, Mr. Ligotti entered his name on the check at the time of deposit.

As the Commission is aware, Mrs. Ligotti made a contribution to the Campaign for Gephardt for President (the "Campaign") in September of 2003 in the amount of \$3000.00. On March 14, 2007, she received a letter from the Secretary for the Campaign indicating that she had made a contribution in excess of the \$2000.00 statutory limit for individual contributions. The letter informed Mrs. Ligotti that the Campaign had unilaterally allocated \$1500.00 of the total contribution in her name, and the remaining \$1500.00 as a contribution in the name of her husband, without notifying Mrs. Ligotti at the time of the allocation. The March letter states that the FEC asked the Campaign to notify Mrs. Ligotti of the allocation, and that she has the right to request a different allocation or a refund.

Mrs. Ligotti contributed to the Campaign solely on her own behalf, and although her husband is a named party on the joint bank account from which the contribution check was cashed, he was not a contributor to the Campaign. Mrs. Ligotti, therefore, requested from the Campaign a refund of the contribution allocated to Matthew Ligotti. On June 4, 2007, Mrs. Ligotti received a refund check in the amount of \$1500.00 from the Campaign.

Although Mrs. Ligotti received salary and bonus checks from the Karoly Law Offices, the decision to contribute to the Campaign was her own. We believe the Commission's decision finding there is reason to believe Mrs. Christina Ligotti has violated the Act is premature and unsupported.

If you require any additional information regarding the information enclosed, please contact me.

Very truly yours,



Amy L. Riella

cc: Mrs. Christina Ligotti

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